

REMARKS/ARGUMENTS

Claim Rejections – 35 USC § 103

The Examiner stated that claims 4, 5, 19, 22, 31, 35 and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) in view of Christensen et al. (WO99/24921).

The Examiner stated that claims 20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) and Christensen et al. (WO99/24921) as applied to claim 4 above in view of Katz et al. (US Patent No. 6,424,706).

The Examiner stated that claims 28-30 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) and Christensen et al. (WO99/24921) as applied to claim 4 above in view of Stimson et al. (US Patent No. 5,721,768).

The Examiner stated that claims 6, 32 and 33 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) and Christensen et al. (WO99/24921) as applied to claim 4 above in view of Kato et al. (JP 11203544 A).

The Examiner stated that claims 7-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) and Christensen et al. (WO99/24921) as applied to claim 4 above in view of Gifford (US Patent No. 6,205,437).

The Examiner stated that claims 13-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) and Christensen et al. (WO99/24921) as applied to claim 11 above in view of Stimson et al. (US Patent No. 5,721,768).

The Examiner stated that claims 23-27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657), Christensen et al. and Gifford (US Patent No. 6,205,437) as applied to claims 7-12 and further in view of “MicroCreditCard to Launch Micro Payment Service” by Washingtonpost.com.

Response

The Examiner stated that claims 4, 5, 19, 22, 31, 35 and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Williams et al. (US Patent No. 5,815,657) in view of Christensen et al. (WO99/24921).

Although Applicant does not believe that Williams fully describes or suggests the pending claims, purely for expediting the prosecution of the instant invention, Applicant will direct comments toward Christensen. The Examiner points to p.23 (l. 10-18), p.24 (l. 1-2), p.28 (l. 15-27), and p.29 (l. 15-30) from Christensen to reject the following element in currently pending claims 1 and 36:

“dispositioning the proposed micropayment transaction based on value units associated with a specific merchant ID, a monetary conversion rate for the value units, and a commission due the merchant for selling the value units.”

However, there are major differences between Christensen and the above noted element. For example, page 29, lines 15-30 of Christensen do not disclose “a commission due the merchant.” Instead, Christensen discloses *the network operator will receive a percentage income on each purchase from the merchant*. As can be seen in Christensen, the merchant is actually providing a percentage income and not receiving the percentage income.

Further, Christensen does not describe a merchant selling value units or receiving a commission based on the selling of the value units. In fact, the merchant in Christensen is largely not involved in the overall process. As can be seen on page 28, lines 15-27, Christensen states that, “instead of the customer’s payment going to the merchant, the ATU-NET Payment Server, which supports the customer’s unit of account, receives the payment...The payment server includes an electronic purse owned by the ATU-NET. The payment is transferred from this electronic purse to the cash register allocated to the merchant in the ATU-NET Payment Server.” As can be seen, Christensen does not describe a merchant selling value units or receiving a payment. The payment is actually received and held by the ATU-NET Payment Server which is also not involved in the selling of value units.

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Reply to Office action of 29 December 2006

For the reasons stated above, Applicant respectfully believes that currently pending independent claims 1 and 36, as well the claims that depend from them, are in condition for allowance and respectfully request they be passed to allowance.

Favorable action on this response is requested at the earliest convenience of the Office. The Examiner is welcome to contact the undersigned at any time.

Respectfully submitted,
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